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Claim 1 is believed patentable over the prior art cited by the Examiner wherein the claim recites that the base unit of the apparatus has side walls with a plurality of cavities therein for receiving cosmetic products. As the Examiner pointed out, the Carlino patent falls to teach a base unit having side walls with cavities for receiving removable cosmetic products. Contrary to the Examiner's assertion, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Carlino with Goldring's side wall cavities. In fact, it would have been impossible to do so in view of the narrow base unit disclosed by Carlino which is too small for such cavities. Furthermore, the Goldring cosmetic package is designed to accommodate the numerous products which are normally stored in drawers of a dressing table. As a result, the cosmetic package of the Goldring patent is of substantial size and has been made by Applicant's assignee in a normal size of 4" x 3" x 0.75" (see column 8, lines 4 and 5). There is no suggestion that in the Carlino patent that the base cosmetic carrier could be expanded to provide side walls with cavities for receiving cosmetic products, as required by claim 1, and the Goldring patent contains no teaching or suggestion that the package disclosed in the patent would be suitable to combine with a mobile phone unit which can be mounted on the package. The only suggestion for the Examiner's combination of the Goldring patent with the Carlino patent comes from Applicant's own disclosure. Thus, claim 1 defines an apparatus which is not suggested and disclosed by the references cited by the Examiner.

In the absence of the teaching or suggestion in the cited references against claim 1, there is no teaching or suggestion of the structure defined in claims 2, 3, 4, 5, 9 and 10 which are dependent upon claim 1. In particular, claim 10 defines the base unit with greater specificity, claim 10 in particular defining the apparatus which includes a tray slidably mounted in the base which is defined having a given depth greater than the depth of the tray and further recites separate cavities which are designed to receive individual cosmetic products. The patents do not teach or suggest an apparatus which includes a tray and cavities for receiving individual cosmetic products. Thus, claim 10 is believed patentable for this additional reason.

Claims 6 and 8 have been canceled, and claim 7 has been amended to incorporate the subject matter of claim 8. Claim 7 defines Applicant's apparatus which includes the tray which is movable between an open position for it. The Examiner has cited the Wu patent to support his rejection of claim 8. The Wu patent, like the Goldring patent, is a cosmetic case

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for containing a wide variety of cosmetics, and like the Goldring patent is not designed to be coupled to a mobile phone unit. The bulkiness of the device in the Wu patent teaches away from Applicant's conception of a mobile phone unit with a cosmetic carrier associated therewith. Thus, the Examiner's combination of the Wu patent is not made in accordance with the teachings of the references themselves but, rather, the combination is made in accordance with Applicant's own disclosure. The Examiner is using Applicant's own disclosure as a reference against itself. Thus, claim 8 is believed properly patentable over the Examiner's combination of the Wu and Carlino patents.

Claim 12 is directed to Applicant's second embodiment in which the case of the mobile phone unit has a recess between the unit and the back wall to accommodate a cosmetic tray which is movable between an open position for accessing the cosmetic products and a closed position. There is no teaching or suggestion in the references of a mobile phone unit having a case with a recess adapted to accommodate a tray for cosmetic products between the mobile unit itself and the back of the case. Accordingly, claim 12 is believed properly patentable along with claims 1-5, 7, and 9-11.

Claims 11 and 13 define Applicant's arrangement wherein the cavities are screw-threaded to receive screw-threaded packages of cosmetic products. While Goldring provides a portable storage device for cosmetics in which the device includes screw threads to anchor screw-threaded products in the package, there is no teaching or suggestion in this patent that it could be accommodated to a mobile phone unit or, alternatively, that a mobile phone unit could be modified to adopt this feature.

For the foregoing reasons it is submitted that the 11 claims now present in the application are properly patentable to Applicant, and early and favorable reconsideration leading to prompt passage of the case to issue is respectfully requested.